

SENATE JOINT RESOLUTION 523

By Finney

A RESOLUTION relative to medical malpractice reform.

WHEREAS, a fair and efficient legal system free of frivolous and abusive litigation is necessary for a vibrant economy and access to affordable health care; and

WHEREAS, rapidly increasing medical malpractice awards are driving up medical liability insurance premiums, which costs are ultimately paid by the consumers of health care services, namely patients; and

WHEREAS, frivolous medical liability lawsuits lead to hospitals closing their doors, health care providers refusing to see new patients or patients with complicated conditions, and forcing health care providers to move to other states; and

WHEREAS, reasonable caps on damages protect patients from the rising costs of and diminishing access to health care resulting from medical liability lawsuit abuse; and

WHEREAS, victims who suffer losses, and not their attorneys, should receive the major portion of damage awards; and

WHEREAS, lawsuits filed and concluded in a timely fashion promote fairness for all parties; and

WHEREAS, medical tort reforms enacting caps on damages, allowing for the inclusion of collateral source payments in jury considerations, and imposing time limits on filing lawsuits will enhance access to health care, lower medical liability insurance premiums, and lower the cost of health care; now, therefore,

BE IT RESOLVED BY THE SENATE OF THE ONE HUNDRED FOURTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE HOUSE OF REPRESENTATIVES CONCURRING, that this General Assembly does hereby strongly urge the United States

Congress, and particularly Tennessee's Congressional delegation, to support meaningful medical tort reform.

BE IT FURTHER RESOLVED, that an enrolled copy of this resolution be transmitted to each member of Tennessee's Congressional delegation.